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22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 Case No.: 2:23-CV-00456-JAD-EJY

25 WENDY DAYLEY, an individual,

26 Plaintiff,

27 vs.

28 LVGV, LLC, a Nevada Limited Liability Company
dba M Resort Spa and Casino; DOES 1-20,
inclusive, and ROE Business Entities 1-10,
inclusive,

Defendants.

**STIPULATION TO EXTEND
DEADLINE FOR PLAINTIFF TO
FILE HER RESPONSE TO
DEFENDANT LVGV, LLC'S
MOTION FOR RULE 35
EXAMINATION**

(FIRST REQUEST)

29 Plaintiff, Wendy Dayley, ("Plaintiff"), and Defendant, LVGV, LLC ("Defendant"), by
30 and through their respective counsel of record, hereby stipulate that:

- 31 1. Defendant filed its Motion for Rule 35 Examination ("Motion") on November 17,

1 2023. (ECF No. 35).

2 2. Plaintiff intends to file a Response/Opposition (“**Opposition**”) to the Motion.
3 However, some of the time in which to prepare the Opposition fell within the recent Thanksgiving
4 holiday, and the issues raised in the Motion are significant in light of the Nevada Legislature’s
5 recent passage of AB 244 and how it may potentially impact Fed. R. Civ. P. 35 examinations.
6 Thus, additional time will be necessary for Plaintiff to fully research, brief, and otherwise respond
7 to the issues and arguments raised in Defendant’s Motion.

8 3. Plaintiff’s Opposition is presently due on Friday, December 1, 2023.

9 4. Given the foregoing, the parties have agreed and stipulate that Plaintiff may
10 receive a two-week extension in which to file her Opposition.

11 5. The new deadline for Plaintiff to file the Opposition will be set for Friday,
12 December 15, 2023.

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1 6. The parties submit that this request is not made for an improper purpose or to
2 unnecessarily delay these proceedings. This is the first request for an extension of the deadline
3 for Plaintiff to file her Opposition.

4 IT IS SO STIPULATED.

5 Dated: November 30, 2023.

6 **CLOWARD TRIAL LAWYERS**

7 */s/ Riley A. Clayton*

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5 Dated: November 30, 2023

6 **WILSON ELSE**

7 */s/ Michael P. Lowry*

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15 **O R D E R**

16 **IT IS SO ORDERED:**

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19 UNITED STATES MAGISTRATE JUDGE

20 DATED: November 30, 2023

